



UNITED STATES MARINE CORPS
MARINE CORPS BASE
PSC Box 20004
Camp Lejeune, North Carolina 28542-0004

BO P11101.31 Ch 2
SSEC
26 SEP 2000

BASE ORDER P11101.31 Ch 2

From: Commanding General
To: Distribution List

Subj: FAMILY HOUSING ADMINISTRATION

Encl: (1) New page inserts to BO P11101.31

1. Purpose. To transmit new page inserts to the basic Manual.
2. Action. Remove pages C-3 through C-5 of the basic manual and replace with the new pages contained in enclosure (1).
3. Summary of Changes. This change announces the revised policy regarding the issuance of Letters of Warning and Letters of Eviction from government family housing.
4. Change Notation. Significant changes in the revised pages of this Change are denoted by an arrow () symbol.
5. Reserve Applicability. This Manual is applicable to the Marine Corps Reserve.
6. Filing Instructions. This change transmittal will be filed immediately following the signature page of the basic Manual.

A. J. KARLE JR.
Chief of Staff

DISTRIBUTION: A plus DFH (20)

FAMILY HOUSING ADMINISTRATION

6. Letters of Warning. Letters of Warning (LOWs) initiated by the Family Housing Division will be signed by (1) the Director, Family Housing Division, except for LOWs involving drug-related and criminal offenses; (2) the Base Inspector for drug-related and criminal offenses; or (3) the Commanding Officer, Marine Corps Air Station, New River, for matters involving personnel residing in government quarters aboard the Air Station. The Logistic Support Agreement between Marine Corps Base, Camp Lejeune, and Marine Corps Air Station, New River, provides that after common processing in accordance with Base directives, LOWs for Air Station quarters residents may be signed only by Commanding Officer, Marine Corps Air Station.

7. Administrative Procedures

a. Marine Corps Base

(1) The Director, Family Housing Division, may issue a Notice of Intent to Evict (NOIE) when there is probable cause to believe that an individual's continued presence in Base housing represents a threat to the peace, security or welfare of the installation or, alternatively, that any occupant of Base housing has violated applicable housing regulations by abuse amounting to unreasonable wear and tear on those quarters, neglect in the upkeep of said quarters, waste of government supplied utilities and/or any other violation of applicable housing regulations pertaining to the occupancy of government quarters by service members, their dependents and/or their guests.

(2) The Base Staff Judge Advocate (SJA) will review all NOIEs and their supporting documentation for legal sufficiency prior to actual eviction of a family from housing. The SJA will thereafter provide an opinion to the Director, Family Housing Division, regarding whether there is sufficient legal basis to proceed with an eviction.

(3) Whenever a NOIE is issued, a service member and/or his dependents residing in government quarters will be provided a minimum of five working days to respond thereto. The NOIE will contain the latest date when a response to a NOIE may be submitted for consideration. All comments submitted in response to the NOIE will be (1) complete, concise, and temperate in tone; (2) written legibly; and (3) submitted within the time prescribed.

(4) When a government quarters resident makes a timely response to a NOIE, the Director, Family Housing Division will consider the response together with the NOIE supporting documentation. When it is determined that eviction is appropriate, the

FAMILY HOUSING ADMINISTRATION

Director, Family Housing Division, will (1) prepare a Letter of Eviction (LOE) for the Assistant Chief of Staff, Facilities' signature; and (2) make a recommendation with regard thereto. A LOE should be recommended only when no other sanction/action is appropriate. When the cancellation of a NOIE is determined to be appropriate, the cancellation will be made in writing.

(5) The Base SJA will (1) review the NOIE, the service member's/dependent's response thereto, and the LOE for legal sufficiency; and (2) make a recommendation with regard thereto.

(6) The Assistant Chief of Staff, Facilities, will consider all correspondence in the matter together with the recommendations of his subordinates. The decision to sign the LOE is a matter within the sound discretion of the Assistant Chief of Staff, Facilities. There is no administrative appeal from the Assistant Chief of Staff, Facilities' decision to execute the LOE through any administrative body aboard Marine Corps Base.

(7) Where a LOE is executed by the Assistant Chief of Staff, Facilities, it will be forwarded via the Director, Family Housing Division, to the service member and/or the service member's dependents residing in government quarters when the service member is absent from assigned quarters due to military duties. A copy of the LOE will be provided to the service member's immediate commanding officer via the chain of command.

(8) The effective date of the eviction will be published in the LOE. At no time will the actual date of eviction be more than 30 days following the date the LOE is signed by the Assistant Chief of Staff, Facilities.

b. Marine Corps Air Station, New River

(1) In keeping with the Logistic Support Agreement between Marine Corps Base, Camp Lejeune, and Marine Corps Air Station, New River, LOEs for personnel residing in government quarters aboard the Air Station, whether initiated by Base or Air Station authorities, will be processed in accordance with Marine Corps Base directives and thereafter signed only by the Commanding Officer, Marine Corps Air Station. Eviction letters signed by that Commanding Officer will then be returned to the Director, Family Housing Division, via the Assistant Chief of Staff, Facilities, Marine Corps Base, for delivery to the tenant concerned. When the Commanding Officer, Marine Corps Air Station initiates a LOE or NOIE and thereafter cancels the LOE or NOIE, the circumstances surrounding the issuance and cancellation will be forwarded to the Assistant Chief of Staff, Facilities, Marine Corps Base, for information.

FAMILY HOUSING ADMINISTRATION

(2) The Commanding Officer, Marine Corps Air Station, New River, will set forth the date for all evictions occurring aboard the Air Station. The actual date of eviction will occur within 30 days of the date the LOE is signed.

(3) The Commanding Officer, Marine Corps Air Station, New River, will obtain appropriate legal reviews of NOIEs, LOEs, and documentation relating thereto prior to signing any LOE.

(4) There is no administrative appeal from the decision of the Air Station Commanding Officer to issue a LOE via (1) the Assistant Chief of Staff, Facilities, Marine Corps Base; (2) any member of the Marine Corps Base housing staff; or (3) any other administrative body aboard the base.